



ETHICS REVIEW COMMISSION MINUTES

**SPECIAL CALLED MEETING
Wednesday, December 4, 2013**

The Ethics Review Commission convened in a special called meeting on Wednesday, December 4, 2013, at Austin City Hall, 301 W. 2nd Street, Room 1029 and Room 1027, in Austin, Texas.

Chair Austin Kaplan called the meeting to order at 6:31 p.m.

Commission members in attendance: Chair Austin Kaplan, Vice Chair Velva Price, Peter Einhorn, Donna Beth McCormick, James Ruiz, James Sassin, and Dennis Speight.

Staff in Attendance: Assistant City Attorney Cynthia Tom and Assistant City Attorney Sabine Romero.

Item No. 1: There were no speakers for citizen communication.

Item No. 2: Chair Kaplan recessed the open Commission meeting to go into executive session at 6:33 p.m.

The Commission went into executive session to discuss legal issues related to the complaint filed by Alisa Walker against Parks and Recreation Board Member Susana Almanza (Private consultation with legal counsel pursuant to Section 551.071 of the Government Code).

Executive Session ended and Chair Kaplan called the open Commission meeting back to order at 7:34 p.m.

Item No. 3: The Commission convened a final hearing under Section 2-7-45 of the City Code to consider a complaint by Alisa Walker against Parks and Recreation Board Member Susana Almanza.

Chair Kaplan laid out the procedures to be followed during the hearing.

The complainant, Ms. Walker, made her opening statement alleging that Parks and Recreation Board Member Almanza violated City Code, Sec. 2-1-24 regarding City board member conflicts of interest.

Counsel for Ms. Almanza, Bill Aleshire, made his opening statement and presented two witnesses, Ms. Almanza and Janie Rangel.

Chair Kaplan permitted cross-examination of the parties and witnesses. Mr. Aleshire cross-examined Ms. Walker. Ms. Walker cross-examined Ms. Almanza.

The Commission members asked questions of the parties and witnesses. The Commission members deliberated and then asked additional questions of the parties and witnesses.

Commission Member Ruiz made a motion that, based on a preponderance of the credible evidence in the record, Ms. Almanza had not violated City Code, Section 2-1-24. Commission Member Einhorn seconded the motion. The motion passed unanimously, on a vote of 7-0.

Commission Member McCormick and Chair Kaplan each made statements explaining their votes relating to voluntary recusal and appearance of impropriety issues.

Mr. Aleshire and Ms. Almanza responded to the comments of Commission Member McCormick and Chair Kaplan.

Vice Chair Price made a motion to adjourn which was seconded by Chair Kaplan. The motion passed unanimously, and the hearing and meeting adjourned at 8:55 p.m.